



DEPARTMENT OF ENVIRONMENTAL PROTECTION
Monthly Enforcement Report
for actions during November 2006
DISTRIBUTED: December 4, 2006

This report has been prepared to satisfy a statutory obligation DEP has to inform the public of certain enforcement resolutions. This report does not include summaries of the hundreds of compliance related activities occurring every month because it is impractical to capture a sampling of those activities that would be representative of that work. Please contact Peter Carney at (207) 287-4305 or Peter.J.Carney@Maine.gov for additional information regarding the activities listed in this report.

The following cases were resolved to achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and, impose and deter similar actions in the future.

Administrative Consent Agreements Approved by the Board of Environmental Protection and Department of the Attorney General (violation followed by location of violation):

Manter Construction of Maine, Inc., Sidney, Maine. Manter Construction of Maine, Inc. ("Manter") violated provisions of Maine's *Performance Standards for Excavations* and the Department's rules concerning *Open Burning* by disposing of and burning demolition debris, metals, plastic, and tires in a gravel pit operated by Manter. Following Department involvement, Manter removed 21 tons of demolition debris from the pit and disposed of the material at an appropriately licensed facility. To resolve the violations, Manter paid \$2,500.00 as a civil monetary penalty.

Nankervis Trucking, Inc., Lamoine, Maine. Nankervis Trucking, Inc. ("Nankervis") violated provisions of the Department's rules for *Siting and Operation of Road Salt and Sand-Salt Storage Areas*. Nankervis operates a sand and salt pile storage facility in Lamoine. Nankervis allowed approximately 400 cubic yards of sand-salt materials to spill off the facility's asphalt storage pad, failed to fully cover the facility's sand-salt pile, failed to timely clean up loose sand-salt materials, and failed to have a written operation and maintenance plan. To resolve the violations, Nankervis agreed to submit a plan for site modifications and a building to house the facility's salt and sand-salt piles, submit an operation and maintenance plan, and paid \$1,000.00 as a civil monetary penalty.

Rotary 1 Hr. Cleaners, Inc. and Paul Poulin, Augusta, Maine. Rotary 1 Hr. Cleaners, Inc. and Sam Poulin, President of Rotary Cleaners (collectively "Rotary"), violated provisions of Maine's *Hazardous Waste, Septage and Solid Waste Management Act* and the Department's rules for *Hazardous Waste Management*. During an inspection of the facility, Department staff documented that Rotary had failed to determine whether wastewater was hazardous and was discharging hazardous wastewater containing tetrachloroethylene to the Augusta wastewater treatment facility, had failed to mark a container of hazardous waste with the words "Hazardous Waste," had failed to label two hazardous waste containers with accumulation start dates and the date full, had not shipped one container of hazardous waste within 180 days of filling, failed to retain hazardous waste manifests, failed to provide copies of hazardous waste manifests to the generator state, failed to mark or label containers of universal waste as "Universal Waste" and with accumulation start dates, failed to label a universal waste storage area, and failed to store universal waste in closed undamaged containers. To resolve the violations, Rotary agreed to implement corrective measures to prevent the release of hazardous matter or hazardous waste, immediately label containers of hazardous waste, submit monthly hazardous waste generation and tracking reports to document waste generation and disposal, and paid \$5,400.00 as a civil monetary penalty.

Rowe Ford Sales, Westbrook, Maine. Rowe Ford Sales ("Rowe") violated Maine's rule for *New Motor Vehicle Emissions Standards* by selling a non-"California-Certified" light duty truck in Maine. To resolve the violation, Rowe paid \$2,667.00 as a civil monetary penalty.